

EXHIBIT A

374	441	Subclass	ISSUE CLASSIFICATION	SDR 15009	
UTILITY SERIAL NUMBER		PATENT DATE		PATENT NUMBER	
		FEB 04 2003		6515009	
SERIAL NUMBER		FLUNG DATE	CLASS	SUBCLASS	GROUP ART UNIT
JOHN M. RENO, RETIRED 10-31-02 John M. Reno, Brier WA <small>SR</small>					
<small>THIS PATENT IS IN THE PUBLIC DOMAIN AS OF 02/04/2003. WHICH IS 13 MONTHS FROM THE FILING DATE OF 02/04/1990.</small>					
<small>NOTE-DISCLAIMER THE TERMINAL 13 MONTHS OF THIS PATENT HAS BEEN DISCLAIMED.</small>					
<small>NOTE-DISCLAIMER THE TERMINAL 13 MONTHS OF THIS PATENT HAS BEEN DISCLAIMED.</small>					
<small>Small Entity</small>					
Foreign priority claimed 35 USC 119 conditions met		<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	AS FILED	STATE OR COUNTRY	SHEETS DRAWGS.
Verified and Acknowledged		Examiner's Initials		19	19
				25	25
				INDEP. CLAIMS	3
				FLUNG FEE RECEIVED	\$450.00
				ATTORNEYS DOCKET NO.	290-00784
<small>11-26-02 Filing Periods (19) 4-28-00</small>					
<small>U.S. DEPT. OF COMM/PAT & TM PTO-436 (Rev.12-84)</small>					
ARTS OF APPLICATION LED SEPARATELY				Applications Examiner	
NOTICE OF ALLOWANCE MAILED				CLAIMS ALLOWED	
4/24/00				Total Claims	Print Claim
Assistant Examiner				72	1
ISSUE FEE				DRAWING	
Amount Due \$120.00				Sheets Drawg. 19	Figs. Drawg. 27
PTO-1287 U.S. Department of Commerce Patent and Trademark Office				Print Fig. NJNP	
DISCLAIMER LABEL				Primary Examiner	
Signature No. 35089712				SAMUEL BARTS PRIMARY EXAMINER GROUP 1200	
A terminal disclaimer has been entered and recorded under 35 U.S.C. 253 in this file. DO NOT DESTROY				Primary Examiner	
				PREPARED FOR ISSUE	
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<small>ISSUE FEE</small>					
<small>(FACE)</small>					

Sheet 1 of 17

Form 1449* INFORMATION DISCLOSURE STATEMENT BY APPLICANT 11. (Use several sheets if necessary)		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
		Applicant: L.L. Kunz et al.	
		Filing Date: April 15, 1995	Group: 100-1621

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	First Date of Appropriate
SJ	4,093,709	06/06/78	Choi et al.	424	19	01/28/75
	4,485,096	11/27/84	Bell	424	95	05/26/82
	4,485,097	11/27/84	Bell	424	95	05/25/83
	4,512,762	04/23/85	Spears	604	21	11/23/82
	4,555,402	11/26/85	Matsuda et al.	424	122	08/10/84
	4,675,189	06/23/87	Kent et al.	424	490	02/08/85
	4,744,981	05/17/88	Pavanassavam	424	85	10/17/85
	4,824,436	04/25/89	Wolinsky	604	53	04/21/87
SJ	4,835,002	05/30/89	Wolf et al.	426	590	07/10/87

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SJ	0 297 946	01/04/89	EPO				
	WO88/10259	12/29/88	PCT				
	0 365 863	05/02/90	EPO				
SJ	WO90/01969	03/08/90	PCT				
	WO90/13293	11/15/90	PCT				

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SJ	Atwood et al., "A Light-Scattering Study on Oil-in-Water Microemulsions", <i>Int'l J. Pharm.</i> , 52, 165-171 (1989)
	Bamburg, "Biological and biochemical actions of trichothecene mycotoxins" in <i>Progress in Molecular and Subcellular Biology</i> , Vol. 8; F.E. Hahn et al., Eds.; Springer-Verlag: Berlin; pp. 41-110 (1983)
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	Beck et al., "Poly(DL-lactide-co-glycolide)/norethisterone microcapsules: an injectable biodegradable contraceptive", <i>Biol. Reprod.</i> , 28, 186-195 (1983)
SJ	Benita et al., "Submicron Emulsions as Colloidal Drug Carriers for Intravenous Administration: Comprehensive Physicochemical Characterization", <i>Journal of Pharmaceutical Sciences</i> , 82, (November 1993)
Examiner	Date Considered 11-15-96

*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 2 of 17

Form 1449*		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant: L.L. Kunz et al.	
(Use several sheets if necessary)		Filing Date: April 15, 1995	Group: 1805-621

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate	
						Yes	No
SJ	4,867,973	09/19/89	Goers et al.	424	85.91	09/13/84	
	4,879,225	11/07/89	Morgan, Jr. et al.	435	68	03/11/87	
	4,897,255	01/30/90	Fritzberg et al.	424	1.1	16/19/80	
SJ	4,906,432	03/06/90	Sivam	424	10	04/28/84	

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**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SJ	0 411 893	02/06/91	EPO				
	0 451 202	10/16/91	EPO				
	WO91/15219	10/17/91	PCT				
	WO92/18546	10/29/92	PCT				
SJ	WO92/19273	11/12/92	PCT				

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SJ	Bier et al., "Arterial Remodeling: Importance in Primary Versus Restenoic Lesions", JACC, p. 139A, Abstract No. 875-96 (February 1994)
	Bogyo et al., "Cytochalasin-B-induced immunosuppression of murine allogeneic anti-tumor response and the effect of recombinant human interleukin-2", Cancer Immunol Immunother, 32, 400-405 (1991)
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	Chauhan et al., "Activation of Transforming Growth Factor-β is Inversely Correlated with Three Major Risk Factors for Coronary Artery Disease: Lipoprotein(a), LDL-Cholesterol and Plasminogen Activator Inhibitor-1", Circulation, 90, p. I-623, Abstract No. 3354 (October 1994)
SJ	Clowes et al., "Kinetics of Cellular Proliferation after Arterial Injury - I. Smooth Muscle Growth in the Absence of Endothelium", Laboratory Investigation, 49, 327-333 (1983)
Examiner	Date Considered

*Substitute Disclosure Statement Form (PTO-1449)

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Sheet 3 of 17

Form 1449* INFORMATION DISCLOSURE STATEMENT BY APPLICANT <small>(Use several sheets if necessary)</small>	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
	Applicant: L.L. Kunz et al.	
	Filing Date: April 15, 1995	Group: 1009162

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Applicable
SF	4,929,602	05/29/90	Harker et al.	514	18	11/24/88
	4,935,415	06/19/90	Nakano et al.	514	211	03/20/87
	4,962,091	10/09/90	Eppstein et al.	514	2	05/23/86
	4,968,350	11/06/90	Bindschaedler et al.	106	170	04/01/88
SF	5,015,578	05/14/91	Schroeder et al.	435	119	02/20/90
SF	5,026,537	06/25/91	Daddona et al.	424	1.1	04/06/89

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SF	WO92/21363	12/10/92	PCT				
	WO93/07748	04/29/93	PCT				
SF	WO93/09790	05/27/93	PCT				

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SF	Clowes et al., "Kinetics of Cellular Proliferation after Arterial Injury - III. Endothelium and Smooth Muscle Growth in Chronically Denuded Vessels", <i>Laboratory Investigation</i> , 54, 295-303 (1986)
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	Craig et al., "Anticoagulant Drugs" in <i>Modern Pharmacology</i> ; Little, Brown & Co.: Boston; p. 399 (1982)
SF	Crissman et al., "Transformed mammalian cells are deficient in kinase-mediated control of progression through the G ₁ phase of the cell cycle", <i>PNAS USA</i> , 88, 7580-7584 (September 1991)
Examiner SF	Date Considered 11-15-96

*Substitute Disclosure Statement Form (PTO-1449)

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Form 1449* INFORMATION DISCLOSURE STATEMENT		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
BY APPLICANT <i>SB</i> (Use several sheets if necessary)		Applicant: L.L. Kunz et al.	
		Filing Date: April 15, 1995	Group: 1003-162

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Translation Yes No
<i>SB</i>	5,032,679	07/16/91	Brandley et al.	536	21	08/33789
	5,043,335	08/27/91	Kleinschroth et al.	514	211	08/33789
	5,049,132	09/17/91	Shaffer et al.	604	101	01/08440
<i>SB</i>	5,053,033	10/01/91	Clarke	606	3	10/10/90

FOREIGN PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation Yes No
<i>SB</i>	0 577 215	01/05/94	EPO			
	WO94/04164	03/03/94	PCT			
	WO94/04178	03/03/94	PCT			
<i>SB</i>	0 588 518	03/23/94	EPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
<i>SB</i>	Currier, "Restenosis After Percutaneous Transluminal Coronary Angioplasty: Have We Been Aiming at the Wrong Target?", <i>JACC</i> , 25, 516-20 (February 1995)
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	Fay et al., "Effects of Cytochalasin B on the Uptake of Ascorbic Acid and Glucose by 3T3 Fibroblasts: Mechanism of Impaired Ascorbate Transport in Diabetes", <i>Life Sci.</i> , 46, 619-624 (1990)
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<i>SB</i>	Friberg et al., "Microemulsions and Solubilization by Nonionic Surfactants", <i>Prog. Colloid and Polymer Sci.</i> , 66, 16-20 (1975)
Examiner <i>SB</i>	Date Considered 11-15-94

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Form 1449*		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT		MAILING APPLICANT	
		(Use several sheets if necessary)	
		Filing Date: April 15, 1995	Group: 1803 62

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Applicable
SJB	5,066,789	11/19/91	Srinivasan et al.	530	388	09/29/89
	5,073,633	12/17/91	Schroeder et al.	540	545	11/05/90
	5,093,330	03/03/92	Caravatti et al.	514	211	03/21/91
	5,102,402	04/07/92	Dror et al.	604	265	01/04/91
	5,112,305	05/12/92	Barath et al.	604	96	10/16/90
SJB	5,114,719	05/19/92	Sabel et al.	424	422	09/14/89

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SJB	WO94/07529	04/14/94	PCT				
	WO94/08604	04/28/94	PCT				
	WO94/08605	04/28/94	PCT				
SJB	0 606 613	07/20/94	EPO				

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SJB	Fulop et al., "Age-Dependent Variations of Intralysosomal Enzyme Release from Human PMN Leukocytes under Various Stimuli", <i>Immunobiol.</i> , 171, 302-310 (1986)
	Garrigues et al., "The Melanoma Proteoglycan: Restricted Expression on Microspikes, a Specific Microdomain of the Cell Surface", <i>J. Cell. Biol.</i> , 103, 1699-1710 (November 1986)
	Gasco et al., "In Vitro Permeation of Azelaic Acid from Viscosized Microemulsions", <i>International Journal of Pharmaceutics</i> , 62, 193-196 (1991)
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	Gibbons et al., "The emerging concept of vascular remodeling", <i>New Engl. J. of Medicine</i> , 330, 1431-1437 (1994)
	Glagov et al., "Compensatory enlargement of human atherosclerotic coronary arteries", <i>New Engl. J. of Medicine</i> , 316, 1371-1375 (May 28, 1987).
SJB	Goldman et al., "Influence of pressure on permeability of normal and diseased muscular arteries to horseradish peroxidase", <i>Atherosclerosis</i> , 55, 215-225 (1987)
Examiner C. P. S.	Date Considered 11-15-91

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Sheet 6 of 17

Form 1449*		Atty. Docket No.: 295.007US1		Serial No: 08/389,712	
INFORMATION DISCLOSURE STATEMENT		Applicant: L.L. Kunz et al.			
BY APPLICANT					
(Use several sheets if necessary)		Filing Date: April 15, 1995		Group: 1083 (601)	

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
SJS	5,116,864	05/26/92	March et al.	514	455	04/09/91
	5,140,012	08/18/92	McGovern et al.	514	91	05/31/90
	5,166,143	11/24/92	Ondetti et al.	514	89	06/13/91
	5,171,217	12/15/92	March et al.	604	53	02/28/91
SJS	5,180,366	01/19/93	Woods	604	96	10/10/90

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation
						Yes No
SJS	WO94/15589	07/21/94	PCT			
	WO94/15590	07/21/94	PCT			
SJS	WO94/15646	07/21/94	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SJS	Grainger et al., "A large accumulation of non-muscle myosin occurs at first entry into M phase in rat vascular smooth-muscle cells", <i>Biochem J.</i> , 272, 145-151 (1991)
	Grainger et al., "Hexamethylenebisacetamide Selectively Inhibits the Proliferation of Human and Rat Vascular Smooth-Muscle Cells", <i>Biochem J.</i> , 283, 403-408 (1992)
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	Grainger et al., "Activation of transforming growth factor- β is inhibited in transgenic apolipoprotein(a) mice", <i>Nature</i> , 370, 460-462 (August 11, 1994)
	Grainger et al., "Active TGF- β is Depressed Five-Fold in Triple Vessel Disease Patients Compared with Syndrome X Patients", <i>J. Cell. Biochem. IBA</i> , 267, Abstract No. E111 (1994)
SJS	Grainger et al., "Activation of transforming growth factor- β is inhibited by apolipoprotein (a) in vivo", <i>Circulation</i> , 90, p. I-623, Abstract No. 3353 (October 1994)
Examiner SJS	Date Considered 11-15-96

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(Use several sheets if necessary)		Filing Date: April 15, 1995	Group: 1003 62

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if appropriate
SJ	5,185,260	02/09/93	Crissman et al.	435	244	08/29/91
	5,208,019	05/04/93	Hansson et al.	424	85.5	09/27/89
	5,213,576	05/25/93	Abiuso et al.	604	96	06/11/91
	5,213,580	05/25/93	Slepian et al.	623	1	03/25/92
	5,216,024	06/01/93	Markaverich et al.	514	543	07/15/88
	5,226,430	07/13/93	Spears et al.	128	898	05/24/91
	5,232,911	08/03/93	Vidal	514	12	07/23/91
SJ	5,238,950	08/24/93	Clader et al.	514	360	12/17/91

FOREIGN PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation
						Yes No
SJ	WO94/16706	08/04/94	PCT			
SJ	WO94/17786	08/18/94	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
SJ	Grainger et al., "Active Transforming Growth Factor- β is Depressed in Patients with Three Vessel Coronary Artery Disease", <i>Circulation</i> , 90, p. 1-512, Abstract No. 2754 (October 1994)
	Grainger et al., "Mitogens for adult rat aortic vascular smooth muscle cells in serum-free primary culture", <i>Cardiovascular Res.</i> , 28, 1238-1242 (1994)
	Grainger et al., "The Serum Concentration of Active Transforming Growth Factor-[beta] is Severely Depressed in Advanced Atherosclerosis", <i>Nature Medicine</i> , 1, 74-79 (January 1995)
	Grainger et al., "Active and acid activatable TGF- β in human sera, platelets and plasma", <i>Clin. Chim. Acta</i> , 235, 11-31 (1995)
	Grainger et al., "Transforming growth factor-beta: the key to understanding lipoprotein(a)?", <i>Current Opinion in Lipidology</i> , 6, 81-85 (1995)
	Gref et al., "Biodegradable Long-Circulating Polymeric Nanoshoots", <i>Science</i> , 263, 1600-1603 (March 18, 1994)
	Hanke et al., "Inhibition of Cellular Proliferation After Experimental Balloon Angioplasty by Low-Molecular-Weight Heparin", <i>Circulation</i> , 85, 1548-1556 (April 1992)
SJ	Heller et al., "Preparation of polyacetals by the reaction of divinyl ethers and polyols", <i>J. Polymer Science, Polymer Letters Edition</i> , 18, 293-297 (April 1980)
Examiner SJ	Date Considered 11-15-96

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		Filing Date: April 15, 1995	Group: 1882 62

U.S. PATENT DOCUMENTS

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SJ	5,242,397	09/07/93	Barath et al.	604	96	04/02/92
	5,248,764	09/28/93	Flanagan et al.	530	324	02/27/92
	5,260,224	11/09/93	Stossel et al.	436	503	10/10/91
	5,268,358	12/07/93	Fretto	514	12	05/06/91
SJ	5,270,047	12/14/93	Kauffman et al.	424	422	11/21/91

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation:	
						Yes	No
SJ	WO94/18967	09/01/94	PCT				
SJ	WO94/18968	09/01/94	PCT				
SJ	WO94/19000	09/01/94	PCT				

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SJ	Henriksson et al., "Hormonal Regulation of Serum Lp (a) Levels", <i>J. Clin. Invest.</i> , 89 , 1166-1171 (April 1992)
	Hoff et al., "Modification of Low Density Lipoprotein with 4-Hydroxynonenal Induces Uptake by Macrophages", <i>Arteriosclerosis</i> , 9 , 538-549 (July/August 1989)
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SJ	Jenkins et al., "Local Delivery of Taxol Inhibits Neointimal Regrowth Following Balloon Injury of the Rat Carotid Artery", <i>Circulation</i> , 90 , p. 1-297, Abstract No. 1596 (October 1994)
Examiner	Date Considered

*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 9 of 17

Form 1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Art. Docket No.: 295.007US1	Serial No: 08/389,712
		Applicant: L.L. Kunz et al.	
		Filing Date: April 15, 1995	Group: 1809-162

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**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
SJ	5,280,016	01/18/94	Conrad et al.	514	56	09/03/91
	5,283,257	02/01/94	Gregory et al.	514	458	03/10/92
	5,284,869	02/08/94	Bisaccia et al.	514	455	12/17/91
	5,288,711	02/22/94	Mitchell et al.	514	56	04/28/92
SJ	5,296,492	03/22/94	Shiozawa et al.	514	337	06/03/92

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation
						Yes No
SJ	WO94/19001	09/01/94	PCT			
	WO94/19003	09/01/94	PCT			
SJ	WO94/20096	09/15/94	PCT			

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Examiner <i>SJ bld</i> Date Considered <i>6-15-96</i>

*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 10 of 17

Form 1449*		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: L.L. Kunz et al.	
		Filing Date: April 15, 1995	Group: 4803 62

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SB	5,304,325	04/19/94	Kaufman et al.	252	312	04/13/94
	5,308,622	03/03/94	Casscells et al.	424	422	07/17/92
	5,308,862	03/03/94	Ohistein	514	411	03/05/93
	5,314,679	05/24/94	Lewis et al.	424	9	12/29/92
SB	5,316,766	05/31/94	Baldus et al.	424	94.63	02/06/90

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**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	WO94/20097	09/15/94	PCT				
	WO94/21679	09/29/94	PCT				
SB	WO94/22436	10/13/94	PCT				

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SB	Kuntz et al., "Defining Coronary Restenosis Newer Clinical and Angiographic Paradigms", <i>Circulation</i> , 88 , 1310-1323 (September 1993)
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SB	Linn et al., "Microemulsion for Intradermal Delivery of Cetyl Alcohol and Octyl Dimethyl Paba", <i>Drug Development and Industrial Pharmacy</i> , 16 , 899-920 (1990)
Examiner	Date Considered

*Substitute Disclosure Statement Form (S-70-4449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 11 of 17

Form 1449*		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: L.L. Kunz et al.	
		Filing Date: April 15, 1995	Group: 1603 62

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SB	5,324,739	06/28/94	Gerwick et al.	514	365	10/07/93
	5,326,757	07/05/94	Demopoulos	514	167	08/18/93
	5,328,471	07/12/94	Slepian	604	101	08/04/93
	5,332,584	07/26/94	Scher et al.	424	408	12/09/91
SB	5,342,926	08/30/94	Hatner	534	10	06/08/93

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	WO94/23699	10/27/94	PCT				
	0 622 076	11/02/94	EPO				
SB	WO94/25053	11/10/94	PCT				

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Examiner <i>SB</i>	Date Considered <i>11-15-96</i>
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*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 12 of 17

Form 1449*		Atty. Docket No.: 295.007US1	Serial No.: 08/389,712
INFORMATION DISCLOSURE STATEMENT		Applicant: L.L. Kunz et al.	
BY APPLICANT <i>L.R.C.</i> (Use several sheets if necessary)		Filing Date: April 15, 1995 Group: 1803-1621	

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date Is Appropriate
<i>SB</i>	5,344,926	09/06/94	Murakata et al.	540	545	06/22/93
	5,346,702	09/13/94	Na et al.	424	490	12/03/93
	5,354,562	10/11/94	Platz et al.	424	489	02/16/93
	5,354,774	10/11/94	Deckelbaum et al.	514	455	12/24/92

FOREIGN PATENT DOCUMENTS						
**Examiner	Document Number	Date	Country	Class	SubClass	Translation
Initial						Yes No
<i>SB</i>	WO94/26291	11/24/94	PCT			

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<i>SB</i>	Mintz et al., "Chronic compensatory arterial dilation following coronary angioplasty: an intravascular ultrasound study", <i>JACC</i> , p. 139A, Abstract No. 875-97 (February 1994)
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<i>SB</i>	O'Brien et al., "Osteopontin mRNA and Protein are Overexpressed in Human Coronary Atherectomy Specimens: Clues to Lesion Calcification", <i>Circulation</i> , 88, I-619, Abstract No. 3330 (October 1993)
Examiner <i>SB</i>	Date Considered 11-15-98

*Information Disclosure Statement Form R-10-1449

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEI 605; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 13 of 17

Form 1449*		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant: L.L. Kunz et al.	
(Use several sheets if necessary)		Filing Date: April 15, 1995	Group: 1809 6 Z

U.S. PATENT DOCUMENTS						
** Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Applicable
SB	5,354,801	10/11/94	O'Toole et al.	542	461	08/12/93
	5,356,713	10/18/94	Charmot et al.	428	407	06/01/93
	5,358,844	10/25/94	Stossel et al.	435	2	02/18/93
SB	5,362,424	11/08/94	Lee et al.	264	4.3	10/10/91

** Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	WO94/26303	11/24/94	PCT				
SB	WO94/28721	12/22/94	PCT				

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SB	Popma et al., "Factors Influencing Restenosis after Coronary Angioplasty", <i>Amer. J. Med.</i> , 88, 1-16N - 1-24N (January 1990)
Examiner	Date Considered

*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 14 of 17

Form 1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
		Applicant: L.L. Kunz et al.	
		Filing Date: April 15, 1995	Group: 162

TRADE SHOW

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
<i>SKB</i>	5,364,632	11/15/94	Benita et al.	424	450	05/09/93
	5,380,716	01/10/95	Conrad et al.	514	56	02/28/95
	5,385,935	01/31/95	Tamai et al.	514	535	09/02/93
<i>SKB</i>	5,393,772	02/28/95	Yue et al.	514	410	11/24/93

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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Examiner <i>SKB</i>	Date Considered <i>11-15-96</i>
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*Substitute Disclosure Statement Form (PTO-1449)

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Sheet 15 of 17

Form 1449*		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant: L.L. Kunz et al.	
(Use several sheets if necessary)		Filing Date: April 15, 1995	Group: 1003- (62)

U.S. PATENT DOCUMENTS

** Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

** Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation
						Yes
						No

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SJ	Schwartz et al., "The Restenosis Paradigm Revisited: An Alternative Proposal for Cellular Mechanisms", JACC, 20, 1284-1293 (Nov. 1, 1992)
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Examiner	Date Considered

*Substitute Disclosure Statement Form (PTO-1449)

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Sheet 16 of 17

Form 1449*		Atty. Docket No.: 295.007US1	Serial No.: 08/389,712
INFORMATION DISCLOSURE STATEMENT		Applicant: L.L. Kunz et al.	
BY APPLICANT		Filing Date: April 15, 1995 Group: H03 [62]	
(Use several sheets if necessary)			

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	V <input checked="" type="checkbox"/> Translation <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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SB	Wight et al., "The role of proteoglycans in cell adhesion, migration and proliferation", <i>Current Opinion in Cell Biol.</i> , 4, 793-801 (October 1992)		
Examiner	<i>SJ</i>	Date Considered	11-15-96

*Submit Disclosure Statement Form (ITD-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 17 of 17

Form 1449*		Atty. Docket No.: 291.307US1	Serial No.: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: L.L. Kunz et al.	
		Filing Date: April 15, 1995	Group: 1005 1621

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
	11	11/15/95				11/15/95
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EXHIBIT B

U.S. PTO	
09/082643	05/21/98
314	Subclass
514	Class
ISSUE CLASSIFICATION	

PATENT NUMBER
6251920
6251920

U.S. UTILITY PATENT APPLICATION

O.I.P.E. LH SCANNED CB	PATENT DATE JUN 26 2001 O.A. DW
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SECTOR	CLASS	SUBCLASS	ART UNIT	EXAMINER
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(Attached in pocket on right inside flap)

CERTIFICATE

AUG 13 2002

OF CORRECTION

PREPARED AND APPROVED FOR ISSUE

ISSUING CLASSIFICATION

ORIGINAL		CROSS REFERENCE(S)						
CLASS	SUBCLASS	CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					
514	319	514	324	422	428	444	448	651
INTERNATIONAL CLASSIFICATION								
A61K	31/445							
A61K	31/40							
A61K	31/38							
A61K	31/13							

 Continued on Issue Slip Inside File Jacket

TERMINAL DISCLAIMER	DRAWINGS			CLAIMS ALLOWED	
	Sheets Drwg.	Figs. Drwg.	Print Fig.	Total Claims	Print Claim for O.G.
<input checked="" type="checkbox"/>	2	2	None	42	1
<input type="checkbox"/> a) The term of this patent subsequent to _____ (date) has been disclaimed.	(Attested Examiner) (Date)			NOTICE OF ALLOWANCE MAILED	
<input checked="" type="checkbox"/> b) The term of this patent shall not extend beyond the expiration date of U.S. Patent No. 5473985.	R. M. H. /s/ (Attested Examiner) (Date)			10,13,00	
\$7,70,607				ISSUE FEE	
\$7,73,479				Amount Due	Date Paid
<input type="checkbox"/> c) The terminal months of this patent have been disclaimed.	(Printed Examiner) (Date)			\$1,940,00	11/17/02
ISSUE BATCH NUMBER					
T68					

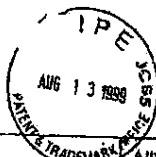
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Format Drawings (sheet(s))

(LABEL AREA)



Form 1449	Atty. Docket No.: 295.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		
	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group: 1614

U. S. PATENT DOCUMENTS						
Examiner Initials	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	2,914,563	11/24/1959	Allen et al.	260	570	08/06/57
	3,010,965	11/28/1961	Elpern	260	293	02/05/57
	3,168,565	02/02/1965	Palopoli et al.	260	570.7	11/20/59
	3,288,806	11/29/1966	DeWald et al.	260	326.5	03/23/64
	3,634,517	01/11/1972	Palopoli et al.	260	590	08/19/68
	3,940,422	02/24/1976	Harita et al.	260	340	01/17/74
	4,070,484	01/24/1978	Harita et al.	424	319	12/21/76
	4,093,709	06/06/1978	Sok Choi et al.	424	19	01/28/75
	4,133,814	01/09/1979	Jones et al.	260	326	09/17/76
	4,230,862	10/28/1980	Suarez et al.	546	237	08/03/78
	4,235,988	11/25/1980	Fildes et al.	528	79	05/31/79
	4,239,778	12/16/1980	Venton et al.	424	305	09/12/78
	4,307,111	12/22/1981	Crawley	424	278	04/29/80
	4,323,707	04/06/1982	Suarez et al.	564	324	05/12/80
	4,389,330	06/21/1983	Tice et al.	427	213.36	09/06/80
	4,380,635	04/19/1983	Peters	546	324	05/12/80
	4,418,068	11/29/1983	Jones	424	267	12/16/81
	4,442,119	04/10/1984	Magarian et al.	424	274	07/26/82
	4,512,762	04/23/1985	Spears	604	21	11/23/82
	4,536,516	08/20/1985	Harper et al.	514	514	04/17/84
	4,675,189	06/23/1987	Kent et al.	424	490	02/08/85
	4,696,949	08/29/1987	Toivola et al.	514	648	05/25/83
	4,824,436	04/25/1989	Wolinsky	604	53	04/21/87
	4,826,672	05/02/1989	Milius et al.	424	1	06/07/85
	4,835,002	05/30/1989	Wolf et al.	426	590	07/10/87
	4,839,155	06/13/1989	McCague	424	1	09/09/87
	4,859,585	08/22/1989	Sonnenschein et al.	435	29	04/17/86
	4,879,315	11/07/1989	Magarian et al.	514	754	09/21/87
	4,929,602	05/29/1990	Harker et al.	514	18	11/22/88
	4,962,091	10/09/1990	Eppstein et al.	514	2	05/23/96
	4,968,350	11/06/1990	Bindschaedler et al.	106	170	10/20/88
	4,973,755	11/27/1990	Grafe et al.	564	324	04/19/88
	4,990,538	02/05/1991	Harris et al.	514	648	08/23/89
	4,994,033	02/19/1991	Shockley et al.	604	101	05/25/89
	4,996,225	02/26/1991	Toivola et al.	514	428	05/25/83
	4,997,652	03/05/1991	Wong	424	428	12/22/91
	5,008,279	04/16/1991	Francowiak et al.	514	345	10/27/88
	5,009,659	04/23/1991	Hamlin et al.	606	159	09/30/89
	5,015,666	05/14/1991	Magarian et al.	514	754	09/22/89
	5,026,537	06/25/1991	Daddone et al.	424	1.1	05/06/89
	5,032,679	07/16/1991	Brandley et al.	536	21	08/31/89

Examiner *[Signature]*Date Considered *7/3/98*

*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 605; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449*

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**
(Use several sheets if necessary)

Atty. Docket No.: 295.012US2

Serial No.: 09/082,643

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Group: 160202300

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Sheet 2 of 27
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PATENT CENTER

U. S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Applicable
	5,043,335	08/27/1991	Kleinschroth et al.	514	211	06/23/90
	5,047,431	09/10/1991	Schickaneder et al.	514	648	05/14/90
	5,049,132	09/17/1991	Schaffer et al.	604	101	01/08/90
	5,053,033	10/01/1991	Clarke et al.	606	3	10/10/90
	5,059,166	11/22/1991	Fischell et al.	600	3	12/11/89
	5,066,789	11/19/1991	Srinivasan et al.	530	388	09/29/89
	5,075,321	12/24/1991	Schreiber	514	317	02/24/88
	5,098,903	03/24/1992	Magarian et al.	514	255	11/06/89
	5,102,402	04/07/1992	Dror et al.	604	265	01/04/91
	5,108,989	04/28/1992	Amento et al.	514	12	04/04/90
	5,112,305	05/12/1992	Barath et al.	704	96	10/16/90
	5,114,719	05/19/1992	Sabel et al.	424	422	09/14/89
	5,116,864	05/26/1992	March et al.	514	455	04/09/91
	5,120,535	06/09/1992	Marquardt et al.	424	85,5	05/04/87
	5,140,012	08/18/1992	McGovern et al.	514	19	05/31/90
	5,166,143	11/24/1992	Ondetti et al.	514	89	06/13/91
	5,171,217	12/15/1992	March et al.	604	53	02/28/91
	5,176,617	01/05/1993	Fischell et al.	600	3	11/21/91
	5,180,366	01/19/1993	Woods	604	96	10/10/90
	5,185,260	02/09/1993	Crissman et al.	435	244	08/29/91
	5,189,046	02/23/1993	Burch et al.	514	330	08/14/90
	5,189,212	02/23/1993	Ruenitz	562	468	09/07/90
	5,192,525	03/09/1993	Yang et al.	424	11	06/20/91
	5,199,939	04/06/1993	Dake et al.	600	3	02/23/90
	5,208,019	05/05/1993	Hanson et al.	424	85	09/27/89
	5,213,576	05/25/1993	Abiuso et al.	604	96	06/11/91
	5,213,580	05/25/1993	Slepian et al.	623	1	03/25/92
	5,216,126	06/01/1993	Cox et al.	530	350	06/19/91
	5,219,548	06/15/1993	Yang et al.	424	1	10/01/90
	5,221,620	06/22/1993	Purchio et al.	435	69	12/05/89
	5,226,430	07/13/1993	Spears et al.	128	898	05/24/91
	5,229,495	04/20/1993	Ichijo et al.	530	350	06/18/91
	5,232,444	08/03/1993	Just et al.	604	96	06/21/89
	5,238,714	08/24/1993	Wallace et al.	427	213	10/02/90
	5,238,950	08/24/1993	Clader et al.	514	360	12/17/91
	5,242,397	09/07/1993	Barath et al.	604	96	01/02/92
	5,248,764	09/28/1993	Flanagan et al.	530	324	02/27/92
	5,254,594	10/19/1993	Nikura et al.	514	648	04/08/92
	5,268,358	12/07/1993	Fretto et al.	514	12	05/06/91
	5,270,047	12/14/1993	Kauffman et al.	424	422	11/21/91
	5,280,016	01/18/1994	Conrad et al.	514	56	09/03/91

Examiner

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Date Considered

3/3/00

*Substitute Disclosure Statement Form (RDO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form 1449*	Atty. Docket No.: 295.012US2	Serial No. 09/042,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group:

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	5,280,109	01/18/1994	Miyazono et al.	530	399	01/27/92
	5,282,785	02/01/1995	Shapland et al.	604	21	09/05/92
	5,283,257	02/01/1994	Gregory et al.	514	458	07/10/92
	5,284,763	02/08/1994	Derynk et al.	435	240	03/04/92
	5,284,869	02/08/1994	Bisaccia et al.	514	455	12/17/91
	5,288,711	02/22/1994	Mitchell et al.	514	36	04/28/92
	5,296,492	03/22/1994	Shiozawa et al.	514	337	06/03/92
	5,304,325	04/19/1994	Kaufman et al.	252	312	11/13/91
	5,304,541	04/19/1994	Purchio et al.	514	12	03/14/91
	5,308,622	05/03/1994	Casscells et al.	424	422	07/16/92
	5,308,862	05/03/1994	Ohlstein et al.	514	411	03/05/93
	5,314,679	05/24/1994	Lewis et al.	424	9	12/22/92
	5,316,766	05/31/1994	Baldus et al.	424	94	02/06/90
	5,324,736	06/28/1994	Magarin et al.	514	317	08/16/93
	5,326,757	07/05/1994	Demopoulos	514	167	08/18/93
	5,328,471	07/12/1994	Slepian	604	101	08/04/93
	5,332,584	07/26/1994	Scher et al.	424	408	12/09/91
	5,340,925	08/23/1994	Lioubin et al.	530	395	06/17/92
	5,346,702	09/13/1994	Na et al.	424	490	12/04/92
	5,346,993	09/13/1994	Miyazono et al.	530	399	07/15/93
	5,354,562	10/11/1994	Platz et al.	424	489	01/16/93
	5,354,774	10/11/1994	Deckelbaum et al.	514	455	12/24/92
	5,354,801	10/11/1994	O'Toole et al.	524	461	08/12/93
	5,356,713	10/18/1994	Charmot et al.	420	407	06/01/93
	5,362,424	11/08/1994	Lee et al.	264	4.3	10/10/91
	5,364,632	11/15/1994	Benita et al.	424	450	03/09/93
	5,380,716	01/10/1995	Conrad et al.	514	56	12/28/92
	5,384,332	01/24/1995	Fontana	514	648	05/11/94
	5,385,935	01/31/1995	Tamai et al.	514	535	09/07/93
	5,389,670	02/14/1995	Fontana	514	443	12/21/93
	5,391,557	02/21/1995	Cullinan et al.	514	324	10/15/93
	5,393,763	02/28/1995	Black et al.	514	333	01/12/94
	5,393,772	02/28/1995	Yue et al.	514	410	11/24/93
	5,393,785	02/28/1995	Labrie et al.	514	622	07/14/92
	5,395,842	03/07/1995	Labrie et al.	514	320	12/02/91
	5,401,730	03/28/1995	Sauvage et al.	514	165	07/06/90
	5,407,609	04/18/1995	Tice et al.	264	46	05/17/93
	5,418,252	05/23/1995	Williams	514	443	10/15/93
	5,423,885	06/13/1995	Williams	623	1	07/14/93
	5,424,331	06/13/1995	Shlyankevich	514	456	06/10/94
	5,426,123	06/20/1995	Fontana	514	651	05/11/94

Examiner

Date Considered

3/3/00

Substitute Disclosure Statement Form (PPO-1449)

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

AUG 13 1999
PATENTS TRADEMARKS
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Form 1449*	Atty. Docket No.: 295.012US2	Serial No. 09/082,645
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		RECEIVED TECH CENTER 1600 AUG 17 1999 GROUP 1614 100-2800
(Use several sheets if necessary)	Filing Date: May 21, 1998	

U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	5,429,634	07/04/1995	Narcisco Jr.	604	090.1	09/09/93
	5,434,166	07/18/1995	Gleasebrook	514	317	08/22/94
	5,436,243	07/25/1995	Sachs et al.	514	231	11/17/93
	5,439,923	08/08/1995	Cullinan	514	324	12/21/93
	5,439,931	08/08/1995	Sales	514	443	12/21/93
	5,441,947	08/15/1995	Dodge et al.	514	179	08/25/93
	5,441,964	08/15/1995	Bryant et al.	514	324	10/15/93
	5,441,965	08/15/1995	Sall et al.	514	324	12/21/93
	5,441,966	08/15/1995	Dodge	514	324	12/21/93
	5,441,986	08/15/1995	Thompson	514	648	07/19/94
	5,444,164	08/22/1995	Purchio et al.	536	23.5	05/04/92
	5,445,941	08/29/1995	Yang	435	6	06/21/93
	5,446,053	08/29/1995	Keohane	514	324	12/21/93
	5,447,941	09/05/1995	Zuckerman	514	324	12/21/93
	5,453,442	09/26/1995	Bryant et al.	514	408	02/18/94
	5,455,275	10/03/1995	Fontana	514	648	05/11/94
	5,457,113	10/10/1995	Cullinan et al.	514	319	10/15/93
	5,457,116	10/10/1994	Black et al.	514	324	10/15/93
	5,457,117	10/10/1995	Black et al.	514	337	10/26/94
	5,458,568	09/17/1995	Rachini et al.	604	19	09/17/93
	5,462,937	10/31/1995	Cullinan et al.	514	212	04/14/95
	5,466,810	11/14/1995	Godfrey	546	202	06/10/94
	5,468,746	11/21/1995	Casagrande et al.	514	235.5	06/21/91
	5,470,883	11/28/1995	Stromberg	514	648	05/23/94
	5,472,985	12/03/1995	Grainger et al.	514	651	09/02/94
	5,478,847	12/26/1995	Draper	514	333	03/02/94
	5,480,888	01/02/1996	Kodama et al.	514	320	06/11/94
	5,480,904	01/02/1996	Bryant et al.	514	443	10/28/93
	5,482,949	01/09/1996	Black et al.	514	324	03/19/93
	5,482,950	01/09/1996	Bryant et al.	514	324	10/15/93
	5,484,795	01/16/1996	Bryant et al.	514	319	09/20/94
	5,484,796	01/16/1996	Bryant et al.	514	319	04/21/95
	5,484,798	01/16/1996	Bryant et al.	514	324	09/20/94
	5,484,808	01/16/1996	Grinnell	514	443	02/09/95
	5,489,587	02/06/1996	Fontana	514	233.5	02/06/96
	5,491,159	02/13/1996	Malamas	514	374	08/30/94
	5,491,173	02/13/1996	Toivola et al.	514	648	05/25/83
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Examiner *Jed Mee* Date Considered *3/3/00*

*Substitute Disclosure Statement Form (PCT-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Form 1449* Sheet 5 of 27

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Docket No.: 295.012US2		Serial No. 09/042,643
		Applicant: David J. Grainger et al.	Filing Date: May 21, 1998	RECEIVED AUG 17 1999 TECH CENTER 1600/2300 group: 1604

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	0674903	10/04/1995	European	A61K	31/445	

Examiner *J. W. Hause* Date Considered *3/3/00*

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Form 1449*	Priority Docket No.: 295.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Sheet 6 of 27
	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group: 1614

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Examiner Initial	Document Number	Date	Country	Class	Subclass	Translators Name
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Examiner <i>[Signature]</i>	Date Considered <i>1 3/3/00</i>
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Form 1449*	Atty. Docket No.: 295.012US2	Serial No. 09/081,443
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Sheet 7 of 27
	Applicant: David J. Grainger et al.	RECEIVED AUG 14 1999 PTO-1800-2000
	Filing Date: May 21, 1998	
		Group: 16141999

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**Examiner Initial	Document Number	Date	Coutry	Class	Subclass	Transliteration Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Examiner <i>fred j. thomas</i>	Date Considered <i>1/3/90</i>
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*SUBSTITUTE Disclosure Statement Form PTO-1449

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Form 1449*		Sheet 8 of 27	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Atty. Docket No.: 295.012US2	Serial No. 09/082,643
		Applicant: David J. Grainger et al.	
		Filing Date: May 21, 1998	Group: 1614

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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 603; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form 1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>	Atty. Docket No.: 295.012US2 Applicant: David J. Grainger et al. Filing Date: May 21, 1998	Serial No. 09/082,643 Group: 1614																								
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">X</td> <td>Bertelli et al., "Adjuvant Tamoxifen in Primary Breast Cancer: Influence on Plasma Lipids and Antithrombin III Levels", <i>Breast Cancer Res. and Treatment</i>, 12, 307-310 (1988).</td> </tr> <tr> <td>X</td> <td>Bier et al., "Arterial Remodeling: Importance in Primary Versus Restenoic Lesions", <i>JACC</i>, p. 139A, Abstract No. 875-96 (February 1994).</td> </tr> <tr> <td>X</td> <td>Bluming, "Hormone Replacement Therapy: Benefits and Risks for the General Postmenopausal Female Population and for Women with a History of Previously Treated Breast Cancer", <i>Seminars in Oncology</i>, 20, 662-674 (1993).</td> </tr> <tr> <td>X</td> <td>Brott et al., "Vessel Remodeling After Angioplasty: Comparative Anatomic Studies", <i>JACC</i>, p. 138A, Abstract No. 878-43, (February 1994).</td> </tr> <tr> <td>X</td> <td>Bruengger et al., "Smooth Muscle Cell of the Canine Prostate in Spontaneous Benign Hyperplasia, Steroid Induced Hyperplasia and Estrogen or Tamoxifen Treated Dogs", <i>J. Urology</i>, 130, 1208-1210 (1983).</td> </tr> <tr> <td>X</td> <td>Bruning et al., "Tamoxifen, Serum Lipoproteins and Cardiovascular Risk", <i>Br. J. Cancer</i>, 58, 497-499 (1988).</td> </tr> <tr> <td>X</td> <td>Butta et al., "Induction of Transforming Growth Factor Beta 1 in Human Breast Cancer In Vivo Following Tamoxifen Treatment", <i>Cancer Research</i>, 52, 4261-4164 (1992).</td> </tr> <tr> <td>X</td> <td>Casscells et al., "Elimination of Smooth Muscle Cells in Experimental Restenosis: Targeting of Fibroblast Growth Factor Receptors", <i>Proc. Natl. Acad. Sci. USA</i>, 89, 7159-7163 (1992).</td> </tr> <tr> <td>X</td> <td>Chander et al., "Pyrrolidino-4-iodotamoxifen and 4-iodotamoxifen, New Analogues of the Antiestrogen Tamoxifen for the Treatment of Breast Cancer", <i>Cancer Res.</i>, 51, 5851-5858 (1991).</td> </tr> <tr> <td>X</td> <td>Chao et al., "Altered Cytokine Release in Peripheral Blood Mononuclear Cell Cultures from Patients with the Chronic Fatigue Syndrome", <i>Cytokine</i>, 3, 292-298 (1991).</td> </tr> <tr> <td>X</td> <td>Chapman et al., "A Biabsorbable Stent: Initial Experimental Results", <i>Supplement III Circulation</i>, 82, p. III-72, Abstract No. 0283 (October 1990).</td> </tr> <tr> <td>X</td> <td>Charlier et al., "Tamoxifen in the Treatment of Breast Cancer", <i>J. Gynecol. Obstet. Biol. Reprod.</i>, 23, 751-756 (1994).</td> </tr> </tbody> </table>			X	Bertelli et al., "Adjuvant Tamoxifen in Primary Breast Cancer: Influence on Plasma Lipids and Antithrombin III Levels", <i>Breast Cancer Res. and Treatment</i> , 12, 307-310 (1988).	X	Bier et al., "Arterial Remodeling: Importance in Primary Versus Restenoic Lesions", <i>JACC</i> , p. 139A, Abstract No. 875-96 (February 1994).	X	Bluming, "Hormone Replacement Therapy: Benefits and Risks for the General Postmenopausal Female Population and for Women with a History of Previously Treated Breast Cancer", <i>Seminars in Oncology</i> , 20, 662-674 (1993).	X	Brott et al., "Vessel Remodeling After Angioplasty: Comparative Anatomic Studies", <i>JACC</i> , p. 138A, Abstract No. 878-43, (February 1994).	X	Bruengger et al., "Smooth Muscle Cell of the Canine Prostate in Spontaneous Benign Hyperplasia, Steroid Induced Hyperplasia and Estrogen or Tamoxifen Treated Dogs", <i>J. Urology</i> , 130, 1208-1210 (1983).	X	Bruning et al., "Tamoxifen, Serum Lipoproteins and Cardiovascular Risk", <i>Br. J. Cancer</i> , 58, 497-499 (1988).	X	Butta et al., "Induction of Transforming Growth Factor Beta 1 in Human Breast Cancer In Vivo Following Tamoxifen Treatment", <i>Cancer Research</i> , 52, 4261-4164 (1992).	X	Casscells et al., "Elimination of Smooth Muscle Cells in Experimental Restenosis: Targeting of Fibroblast Growth Factor Receptors", <i>Proc. Natl. Acad. Sci. USA</i> , 89, 7159-7163 (1992).	X	Chander et al., "Pyrrolidino-4-iodotamoxifen and 4-iodotamoxifen, New Analogues of the Antiestrogen Tamoxifen for the Treatment of Breast Cancer", <i>Cancer Res.</i> , 51, 5851-5858 (1991).	X	Chao et al., "Altered Cytokine Release in Peripheral Blood Mononuclear Cell Cultures from Patients with the Chronic Fatigue Syndrome", <i>Cytokine</i> , 3, 292-298 (1991).	X	Chapman et al., "A Biabsorbable Stent: Initial Experimental Results", <i>Supplement III Circulation</i> , 82, p. III-72, Abstract No. 0283 (October 1990).	X	Charlier et al., "Tamoxifen in the Treatment of Breast Cancer", <i>J. Gynecol. Obstet. Biol. Reprod.</i> , 23, 751-756 (1994).
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Examiner <i>R.D. Hines</i>	Date Considered <i>13/3/00</i>
Substitute Disclosure Statement Form (PTO-1449)	
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Form 1449*		Sheet 10 of 27	
		Atty. Docket No.: 295.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: David J. Grainger et al.	
		Filing Date: May 21, 1998	Group: 1614

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Examiner *R.D. Hulse* | Date Considered *1/3/98*

*Substitute Disclosure Statement Form (1449-1449)

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Form 1449*	Att. No.: 293.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: David J. Grainger et al.
	Filing Date: May 21, 1998	Group: 1614

Sheet 11 of 27

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Sheet 12 of 27

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>	Applicant: David J. Grainger et al.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: David J. Grainger et al.	
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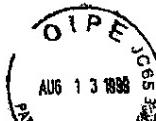
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Form 1449*	Priority Docket No.: 295.012US2	Serial No. 09/082,643
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Form 1449*	Art. Docket No.: 295.012US2	Serial No. 09/082,643
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Form 1449*

Atty. Docket No.: 295.012US2

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**INFORMATION DISCLOSURE STATEMENT
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(Use several sheets if necessary)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Priority Docket No.: 295.012US2 Serial No. 09/082,643	
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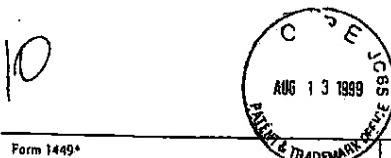
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EXHIBIT C

No. 03-1418, 1419

United States Court of Appeals
FOR THE FEDERAL CIRCUIT

CORDIS CORPORATION,

Plaintiff Appellant

BOSTON SCIENTIFIC CORPORATION and SCIMED LIFE SYSTEMS, INC.
(now known as Boston Scientific Scimed, Inc.)

Defendants-Cross Appellants

APPEALS FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE IN CASE NO. 98-CV-197
CHIEF JUDGE SETH ROBINSON

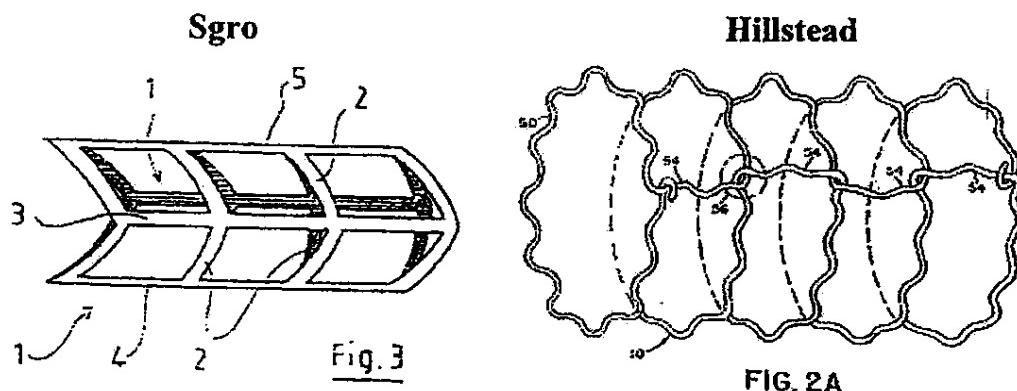
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November 3, 2005

The first was Sgro (A9109-19), which discloses the “rings” (2) and “longitudinals” (3) recited in European claim 1. The second was Hillstead (A11098-103), which, as the District Court found, has “undulating” longitudinals (54), and thus discloses the feature added by claim 8. A83-85, A94, A11101-2 (Cols. 2:1-25, 4:13-21), A9742. The EPO Examiner found this combination—namely, Hillstead’s “undulations” and Sgro’s “rings” and “longitudinals”—“particularly relevant” to European claim 8. A9742.



F. Robert Fischell's Knowledge of the Hillstead Patent

Robert Fischell admittedly received the EPO search report and the cited references, including Hillstead. A4648/848:9-849:7. In fact, he received the search report referencing Hillstead *twice*—first in July 1995, and again in November 1995 after his European application published. A4648/848:9-849:2, A4729/964:4-965:6, A10398-99, A10583-99.

Fischell was also aware when he received the search report and the Hillstead patent that it was his duty (and not the duty of Rosenberg, who was prosecuting only the European application) to assess whether Hillstead was relevant to the U.S. claims. A4643/830:12-831:23, A4646/841:11-842:3. Moreover, he was “keenly interested” in stent designs at the time, and it was his general practice when he received a search report to “look at the pictures” of the cited references to “see if the pictures look[ed] like [his] invention.” A4646/842:4-843:22, 4647/845:10-846:20.

In fact, Fischell admitted at trial that he undoubtedly looked at the cited references (including Hillstead) when he received them. A4648/848:9-849:7 (“I looked at them all.”). Further testimony that he does not *remember* looking at Hillstead was thus immaterial. 4648/849:8-A4649/853:1.

Moreover, Fischell acknowledged that Hillstead’s front page plainly shows undulations, which means that when he looked at Hillstead, he would have seen that it has “undulations” and “looks something like [his] invention.” A4656/883:10-13, A4658/889:9-16, A4666/922:5-9. Others skilled in the art likewise testified that they regard Hillstead as disclosing “undulating longitudinals” that would enhance the longitudinal flexibility of the stent. A3724/1629:14-A3725/1630:25, A4020/2335:15-2338:7.

EXHIBIT D

Manual of PATENT EXAMINING PROCEDURE

Original Sixth Edition, January 1995
Latest Revision July 1997



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Revision 3, July 1997

¶ 6.49.09 Information Disclosure Statement Not Considered, No Explanation of Relevance

The information disclosure statement filed [1] fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered. <

(ii) If an information disclosure statement complies with the requirements based on the time of filing the statement as discussed in B above, including the requirements for fees/or certification, but part of the content requirements as discussed in A above has been inadvertently omitted, the examiner may set a one-month time period to correct the omission. Form paragraph 6.51 may be used for this purpose.

¶ 6.51 Time Limit for Completing Information Disclosure Statement

The information disclosure statement filed on [1] does not comply with the requirements of 37 CFR 1.98 because [2]. Since the submission appears to be *bona fide*, but through an apparent oversight or inadvertence failed to comply with the necessary requirements, applicant is required to complete the statement within a TIME LIMIT OF ONE MONTH from the date of this letter. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b). Failure to comply with this notice will result in the information disclosure statement being placed in the application file with the non-complying information not being considered.

Examiner Note:

This practice does not apply where there has been a deliberate omission of some necessary part of an information disclosure statement or where the requirements based on the time of filing the statement as set forth in 37 CFR 1.97 have not been complied with.

If a statement fails to comply with requirements as discussed in this section for an item of information, that item of information in the statement will not be considered and a line should be drawn through the citation to show that it has not been considered. However, other items of information that do comply with all the requirements will be considered by the examiner.

If information is listed in the specification rather than in a separate paper, or if the other content requirements as discussed in A above are not complied with, the examiner will notify applicant in the next Office action that the information has not been considered. It should be noted, however, that no copy of a U.S. patent application is required to be submitted. See A(2)(iii) above. Where a U.S. patent application is properly cited on a

separate list, the examiner should obtain access to that file within the Office.

C (2) Complying Statements

The information contained in information disclosure statements which comply with both the content requirements as discussed in A above and the requirements based on the time of filing the statement as discussed in B above will be considered by the examiner.

Applicants, patent owners, reexamination requesters, protestors, and others are encouraged to use form PTO-1449, "Information Disclosure Citation," when preparing an information disclosure statement. A copy of this form is reproduced in this section to indicate how the form should be completed. This form will enable persons to comply with the requirement to list each item of information being submitted and to provide the Office with a uniform listing of citations and with a ready way to indicate that information has been considered. Examiners must consider all citations submitted in conformance with the rules and this section and their initials when placed adjacent to the considered citations on the list or in the boxes provided on a form PTO-1449 provides a clear record of which citations have been considered by the Office. The examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 form. If the citations are submitted on a list other than on a form PTO-1449, the examiner may write "all considered" and his or her initials to indicate that all citations have been considered. If any of the citations are considered, a copy of the submitted list or form PTO-1449, as reviewed by the examiner, will be returned to the applicant with the next communication. Those citations not considered by the examiner will have a line drawn through the citation and any citations considered will have the examiner's initials adjacent thereto. The original copy of the list or form PTO-1449 will be entered into the application file. The copy returned to applicant will serve both as acknowledgement of receipt of the information disclosure statement and as an indication as to which references were considered by the examiner. Forms PTO-326 and PTOL-37 include a box to indicate the attachment of form PTO-1449.

Information which complies with requirements as discussed in this section but which is in a non-English language will be considered in view of the concise explanation submitted (A(3) above) and insofar as it is

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understood on its face; e.g., drawings, chemical formulas, in the same manner that non-English language information in Office search files is considered by examiners in conducting searches. The examiner need not have the information translated unless it appears to be necessary to do so. The examiner will indicate that the non-English language information has been considered in the same manner as consideration is indicated for information submitted in English. The examiner should not require that a translation be filed by applicant. The examiner should not make any comment such as that the non-English language information has only been considered to the extent understood, since this fact is inherent.

Since information is required to be submitted in a separate paper listing the citations rather than in the specification, there is no need to mark "All checked" or "Checked" in the margin of a specification containing citations.

If a statement fails to comply with requirements as discussed in this section for an item of information, a line should be drawn through the citation to show that it has not been considered. The other items of information listed that do comply with the rules and this section will be considered by the examiner and will be appropriately initialed.

C (3) Documents Submitted As Part of Applicant's Response to Office Action

Occasionally, documents are submitted and relied on by an applicant when responding to an Office action. These documents may be relied on by an applicant, for example, to show that an element recited in the claim is operative or that a term used in the claim has a recognized meaning in the art. Documents may be in any form but are typically in the form of an affidavit, declaration, patent, or printed publication.

To the extent that a document is submitted as evidence directed to an issue of patentability raised in an Office action, and the evidence is timely presented, applicant need not satisfy the requirements of 37 CFR 1.97 and 1.98 in order to have the examiner consider the information contained in the document relied on by applicant. In other words, compliance with the information disclosure rules is not a threshold requirement to have information considered when submitted by applicant to

support an argument being made in a response to an Office action.

At the same time, the document supplied and relied on by applicant as evidence need not be processed as an item of information that was cited in an information disclosure statement. The record should reflect whether the evidence was considered, but listing on a form (e.g., PTO-892 or PTO-1449) and appropriate marking of the form by the examiner is not required.

For example, if applicant submits and relies on three patents as evidence in response to the first Office action and also lists those patents on a PTO-1449 along with two journal articles, but does not file a certification or \$200 fee, it would be appropriate for the examiner to indicate that the teachings relied on by applicant in the three patents have been considered, but to line through the citation of all five documents on the PTO-1449 and to inform applicant that the information disclosure statement did not comply with 37 CFR 1.97(c).

D. INFORMATION PRINTED ON PATENT

A citation listed on form PTO-1449 and considered by the examiner in accordance with this section will be printed on the patent. A citation listed in a separate paper, equivalent to but not on form PTO-1449, and considered by the examiner in accordance with this section will be printed on the patent if the list is on a separate sheet which is clearly identified as an information disclosure statement and the list lends itself to easy capture of the necessary information by the Office printing contractor; i.e., each item of information is listed on a single line, the lines are at least double-spaced from each other, the information is uniform in format for each listed item, and the list includes a column for the examiner's initials to indicate that the information was considered. If a U.S. patent application serial number is listed on a PTO-1449 form or its equivalent and the examiner considers the information and initials the form, the serial number will be printed on the patent.

Applicants may wish to list U.S. patent application serial numbers on other than a form PTO-1449 format to avoid the serial numbers of pending applications being published on the patent. If a citation is not printed on the patent but has been considered by the examiner in accordance with this section, the patented will reflect that fact as noted in C(2) above.